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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

| | | |
|----------------------------------|---|----------------------------|
| Paul Garcia, |) | Case No. 1:21-CV-00698-SKO |
| Plaintiff, |) | STIPULATION AND ORDER FOR |
| vs. |) | EXTENSION OF TIME |
| Kilolo Kijakazi, Acting |) | (Doc. 15) |
| Commissioner of Social Security, |) | |
| Defendant. |) | |

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from January 7, 2022 to March 8, 2022, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

1 This is Plaintiff's first request for an extension of time. Good cause exists
2 for this extension. Counsel has recently received a greater number of Answers and
3 Certified Administrative Records from defendant in cases in this district, and the
4 three other California Districts, each of which require settlement negotiations or
5 merit briefing. Counsel has a greater than usual number of merit briefs due in
6 January 2021. In the Eastern District of California alone, Counsel received 47
7 Certified Administrative Records in November 2021.

8 As to merit briefs, for the week of January 3, 2022, Counsel has eight merit
9 briefs, numerous reply briefs, and EAJA Motions. Counsel also has seven
10 administrative hearings before the Office of Hearing Operations for Social
11 Security.

12 Due to Counsel's attempt to spread out the significant increase of briefs due
13 for prior months, in the month of January 2022, Plaintiff's Counsel has well over
14 25 merit briefs. In the month of February, Counsel has 15 merit briefs due.

15 In addition, Counsel is responsible for reviewing Appeals Council ("AC")
16 denials for possible filing in US District Court. Counsel has received an unusual
17 and ever-increasing number of AC denials which require a review for possible
18 filing in US District Court. The AC has also recently denied our extension
19 requests at the administrative level to allow more time to review those files.
20 Therefore, Counsel is unable to push out any of the AC denials which are dated
21 within 65 days.

22 Due to the increase in certified administrative records being filed by
23 defendant, Counsel for Plaintiff has a larger than usual number of briefs due for the
24 month of January 2022.

25 Counsel for the Plaintiff does not intend to further delay this matter.
26 Counsel for Plaintiff attempted to obtain Defendant's position on this motion but
27 did not receive a response. Counsel apologizes to the Defendant and Court for any
28 inconvenience this may cause.

Respectfully submitted,

Dated: December 31, 2021 PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorneys for Plaintiff

Dated: January 4, 2022 PHILLIP A. TALBERT
Acting United States Attorney
LISA A. THOMAS
Regional Chief Counsel, Region VII
Social Security Administration

By: */s/ Meghan J. McEvoy
Meghan J. McEvoy
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on Jan. 4, 2022)

ORDER

Based upon the foregoing stipulation of the parties (Doc. 15), and for good cause appearing (Fed. R. Civ. P. 16(b)(4)),

IT IS HEREBY ORDERED that Plaintiff shall have an extension of time, to and including March 8, 2022, in which to file Plaintiff's motion for summary judgment. All other deadlines set forth in the Scheduling Order (Doc. 13) shall be extended accordingly.

IT IS SO ORDERED.

Dated: **January 5, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE